

EXHIBIT 13

1 CONFIDENTIAL - LEONG PENG TAN
2 UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK
3 Case No. 18-CV-01047 (PGG)

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4 EIG ENERGY FUND XIV, L.P.,
5 EIG ENERGY FUND XIV-A, L.P.,
6 EIG ENERGY FUND XIV-B, L.P.,
7 EIG ENERGY FUND XIV (CAYMAN), L.P.,
8 EIG ENERGY FUND XV, L.P.,
9 EIG ENERGY FUND XV-A, L.P.,
10 EIG ENERGY FUND XV-B, L.P., and
11 EIG ENERGY FUND XV (CAYMAN), L.P.,
12 Plaintiffs,

13 - against -

14 KEPPEL OFFSHORE & MARINE LTD.,
15 Defendant.

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16 * * * CONFIDENTIAL * * *
17 30(b)(6) DEPOSITION
18 VIA ZOOM VIDEOCONFERENCING
19 OF
20 KEPPEL OFFSHORE & MARINE LTD.
21 BY AND THROUGH
22 LEONG PENG TAN
23 Thursday, July 15, 2021
24 Reported By:
 LINDA J. GREENSTEIN
25 JOB NO. 4662403

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2 Does this refresh your
3 recollection that the Brazilian officials
4 referred to in the DPA were Mr. Barusco and
5 Mr. Duque?

6 A. I don't know how that conclusion
7 can be drawn, but I think still -- I would
8 still say refer to the DPA.

9 Q. Okay. Well the question is, do
10 you know whether any KOM executives had any
11 discussions in person about bribes with
12 either Mr. Barusco or Mr. Duque?

13 A. Yeah. I understand that, I
14 understand what you say, what you're
15 asking. And my answer to that is as I
16 provide you just now, is that in regards to
17 the bribe in Brazil, I think you have to
18 refer back to the DPA, what has been
19 counted there, stated there.

20 Q. Okay. But the DPA does not tell
21 me whether or not there were discussions
22 with Mr. Barusco or Mr. Duque on the
23 subject of bribes, does it?

24 MR. BARBUR: Objection to the
25 form of the question. The document

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2 speaks for itself.

3 A. Yeah, the document speak for
4 itself.

5 Q. You have no understanding as to
6 who Brazilian Officials 1 and 2 are; is
7 that correct, sir?

8 A. Yes, as to what I said before.

9 Q. And when did Keppel first learn
10 that private entities were going to fund
11 Sete?

12 A. Can you repeat your first part
13 of your question?

14 Q. The question was, when did
15 Keppel first learn that private entities
16 were going to fund Sete?

17 A. I don't know when you consider
18 as when you know. We all know that all
19 projects will require financing, okay? So
20 when Sete Brazil approached us to provide
21 quotation to build the semi-submersible,
22 okay, we just naturally, I would say that
23 all opportunity in financing.

24 Q. Okay. So using that same logic,
25 at the time that you learned that Sete was

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2 going to contract for the remaining 21 rigs
3 as well as seven rigs with EAS, Keppel
4 understood that Sete would require some
5 form of equity financing; right, sir?

6 A. No, I -- Sete will require
7 financing.

8 Q. Okay. So then the question is,
9 when did Keppel first learn that Sete would
10 require equity financing?

11 A. Equity financing...

12 I think it's time when I think
13 we believe we have spoken about potentially
14 having a joint venture for one of the
15 units.

16 Q. Okay. We'll get to that later,
17 the joint venture.

18 MS. PAK: So I've introduced a
19 document that was previously marked as
20 Plaintiffs' Exhibit 6.

21 It's an e-mail chain Bates
22 stamped KEPPEL00547339 to 340, 3-4-0.

23 (Previously marked
24 Plaintiffs' Exhibit 6 for
25 identification shown to the witness.)

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2 BY MS. PAK.

3 Q. Let me know when you see it.

4 A. Okay. I see the e-mail.

5 Q. Okay.

6 MS. PAK: Give me one second.

7 BY MS. PAK:

8 Q. And this e-mail was forwarded to
9 you by Mr. Jeff Chow, if you look at the
10 top e-mail, on January 10, 2011.

11 Do you see that, sir?

12 A. Yes.

13 Q. And he wrote "Strictly
14 Confidential."

15 Right?

16 A. Yes.

17 Q. And is it -- what is your
18 understanding as to why he's continuing to
19 send you information about Brazil that is
20 strictly confidential?

21 A. I'm not -- I can't say why.

22 Q. And if you look at the bottom
23 e-mail, it's from YY Chow dated January 9,
24 2011, and it includes a bunch of people,
25 including CB Choo and CH Tong.

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2 C E R T I F I C A T E

3
4 I, Linda J. Greenstein, Professional
5 Shorthand Reporter and Notary Public in and
6 for the State of New York, do hereby
7 certify that, LEONG PENG TAN, the witness
8 whose deposition is hereinbefore set forth,
9 was duly sworn and that such deposition is
10 a true record of the testimony given by the
11 witness to the best of my skill and
12 ability.

13 I further certify that I am neither
14 related to or employed by any of the
15 parties in or counsel to this action, nor
16 am I financially interested in the outcome
17 of this action.

18 IN WITNESS WHEREOF, I have hereunto set
19 my hand this 16th day of July 2021.

20
21 

22 Linda J. Greenstein

23
24 My commission expires: January 30, 2025